

173

Ex #24

TREATY SERIES, No. 669

# TREATY

BETWEEN THE

UNITED STATES, THE BRITISH EMPIRE,  
FRANCE AND JAPAN

RELATING TO THEIR INSULAR POSSESSIONS AND  
INSULAR DOMINIONS IN THE REGION  
OF THE PACIFIC OCEAN

SIGNED AT WASHINGTON, DECEMBER 13, 1921

RATIFICATION ADVISED BY THE SENATE, WITH A RESERVATION  
AND UNDERSTANDING, MARCH 24, 1922

RATIFIED BY THE PRESIDENT, JUNE 9, 1923

RATIFICATIONS DEPOSITED WITH THE GOVERNMENT OF THE  
UNITED STATES, AUGUST 17, 1923

PROCLAIMED, AUGUST 21, 1923



WASHINGTON  
GOVERNMENT PRINTING OFFICE  
1923

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

Whereas a Treaty between the United States of America, the British Empire, France and Japan, relating to their insular possessions and insular dominions in the region of the Pacific Ocean, was concluded and signed by their respective plenipotentiaries at Washington on December 13, 1921, the original of which Treaty, in the English and French languages, is word for word as follows:

Les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon,

En vue de préserver la paix générale et de maintenir leurs droits touchant leurs possessions insulaires ainsi que leurs dominions insulaires dans la zone de l'Océan Pacifique,

Ont décidé de conclure un traité à cet effet et ont désigné pour leurs Plénipotentiaires, savoir:

Le Président des Etats-Unis d'Amérique:

Charles Evans Hughes,  
Henry Cabot Lodge,  
Oscar W. Underwood,  
Elihu Root, citoyens des Etats-Unis;

Sa Majesté le Roi du Royaume-Uni de Grande-Bretagne et d'Irlande et des territoires britanniques au-delà des mers, Empereur des Indes:

Le Très-Honorable Arthur James Balfour, O. M.;  
M. P.; Lord Président du Conseil du Roi;

Le Très-Honorable Baron Lee of Fareham, G. B. E., K. C. B., Premier Lord de l'Amirauté;

Le Très-Honorable Sir Auckland Campbell Geddes, K. C. B., son Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique;

The United States of America, the British Empire, France and Japan,

With a view to the preservation of the general peace and the maintenance of their rights in relation to their insular possessions and insular dominions in the region of the Pacific Ocean,

Have determined to conclude a Treaty to this effect and have appointed as their Plenipotentiaries:

The President of the United States of America:

Charles Evans Hughes,  
Henry Cabot Lodge,  
Oscar W. Underwood and  
Elihu Root, citizens of the United States;

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India:

The Right Honourable Arthur James Balfour, O. M., M. P., Lord President of His Privy Council;

The Right Honourable Baron Lee of Fareham, G. B. E., K. C. B., First Lord of His Admiralty;

The Right Honourable Sir Auckland Campbell Geddes, K. C. B., His Ambassador Extraordinary and Plenipotentiary to the United States of America;

Et

pour le Dominion du Canada:  
Le Très-Honorable Robert  
Laird Borden, G. C. M.  
G., K. C.;

pour le Commonwealth d'Aus-  
tralie:

L'Honorable George Fos-  
ter Pearce, Ministre de  
la Défense;

pour le Dominion de la Nou-  
velle-Zélande:

Sir John William Salmond,  
K. C., Juge à la Cour  
Suprême de Nouvelle-  
Zélande;

pour l'Union Sud-Africaine:

Le Très-Honorable Arthur  
James Balfour, O. M.,  
M. P.;

pour l'Inde:

Le Très-Honorable Val-  
ingman Sankaranara-  
yana Srinivasa Sastri,  
Membre du Conseil  
d'Etat de l'Inde;

Le Président de la République  
française:

M. René Viviani, Député,  
ancien Président du  
Conseil des Ministres.

M. Albert Sarraut, Député,  
Ministre des Colonies,

M. Jules J. Jusserand, Am-  
bassadeur Extraordi-  
naire et Plénipotentiaire  
près le Président des  
Etats-Unis d'Amérique,  
Grand'croix de l'Ordre  
National de la Légion  
d'honneur;

Sa Majesté l'Empereur du Ja-  
pon:

Le Baron Tomosaburo  
Kato, Ministre de la  
Marine, Junii, Membre  
de la Première Classe  
de l'Ordre Impérial du  
Grand Cordon du Soleil  
Levant avec la Fleur de  
Paulonia;

And

for the Dominion of Canada:  
The Right Honourable  
Robert Laird Borden,  
G. C. M. G., K. C.;

for the Commonwealth of Aus-  
tralia:

The Honourable George  
Foster Pearce, Minister  
of Defence;

for the Dominion of New Zea-  
land:

Sir John William Salmond,  
K. C., Judge of the Su-  
preme Court of New  
Zealand;

for the Union of South Africa:

The Right Honourable Ar-  
thur James Balfour, O.  
M., M. P.;

for India:

The Right Honourable  
Valingman Sankaran-  
arayana Srinivasa Sas-  
tri, Member of the In-  
dian Council of State;

The President of the French  
Republic:

Mr. René Viviani, Deputy,  
Former President of the  
Council of Ministers;

Mr. Albert Sarraut, Dep-  
uty, Minister of the Col-  
onies;

Mr. Jules J. Jusserand,  
Ambassador Extraordi-  
nary and Plenipoten-  
tiary to the United  
States of America, Grand  
Cross of the National  
Order of the Legion of  
Honour;

His Majesty the Emperor of  
Japan:

Baron Tomosaburo Kato,  
Minister for the Navy,  
Junii, a member of the  
First Class of the Impe-  
rial Order of the Grand  
Cordon of the Rising  
Sun with the Paulownia  
Flower;

Le Baron Kijuro Shidehara,  
Son Ambassadeur Extraordi-  
naire et Plénipotentiaire à  
Washington, Joshii, Membre  
de la Première Classe de  
l'Ordre Impérial du Soleil  
Levant;

Le Prince Iyesato Tokugawa,  
Junii, Membre de la Première  
Classe de l'Ordre Impérial du  
Soleil Levant;

M. Masanao Hanihara, Vice-  
Ministre des Affaires Etran-  
gères, Jushii, Membre de la  
Seconde Classe de l'Ordre Im-  
périal du Soleil Levant;

Lesquels, après avoir échangé  
leurs pleins pouvoirs reconnus en  
bonne et due forme, ont convenu  
des dispositions suivantes:

## I.

Les Hautes Parties Contrac-  
tantes conviennent, en ce qui les  
concerne, de respecter leurs droits  
touchant leurs possessions insu-  
laires ainsi que leurs dominions  
insulaires dans la zone de l'Océan  
Pacifique.

S'il venait à surgir entre cer-  
taines des Hautes Parties Con-  
tractantes un différend issu d'une  
question quelconque concernant  
le Pacifique et mettant en cause  
leurs droits ci-dessus visés, dif-  
férend qui ne serait pas réglé  
d'une façon satisfaisante par la  
voie diplomatique et qui risque-  
rait de compromettre l'heureuse  
harmonie existant actuellement  
entre elles, ces Puissances devront  
inviter les autres Parties Con-  
tractantes à se réunir dans une  
Conférence qui sera saisie de l'en-  
semble de la question aux fins  
d'examen et de règlement.

## II.

Au cas où les droits ci-dessus  
visés seraient menacés par la  
conduite agressive de toute autre  
Puissance, les Hautes Parties

Baron Kijuro Shidehara, His  
Ambassador Extraordinary  
and Plenipotentiary at Wash-  
ington, Joshii, a member of  
the First Class of the Impe-  
rial Order of the Rising Sun;

Prince Iyesato Tokugawa,  
Junii, a member of the First  
Class of the Imperial Order of  
the Rising Sun;

Mr. Masanao Hanihara, Vice-  
Minister for Foreign Affairs,  
Jushii, a member of the Sec-  
ond Class of the Imperial Or-  
der of the Rising Sun;

Who, having communicated  
their Full Powers, found in good  
and due form, have agreed as  
follows:

## I.

The High Contracting Parties  
agree as between themselves to  
respect their rights in relation to  
their insular possessions and insu-  
lar dominions in the region of the  
Pacific Ocean.

If there should develop between  
any of the High Contracting Par-  
ties a controversy arising out of  
any Pacific question and involv-  
ing their said rights which is not  
satisfactorily settled by diplo-  
macy and is likely to affect the  
harmonious accord now happily  
subsisting between them, they  
shall invite the other High Con-  
tracting Parties to a joint con-  
ference to which the whole sub-  
ject will be referred for considera-  
tion and adjustment.

## II.

If the said rights are threatened  
by the aggressive action of any  
other Power, the High Contract-  
ing Parties shall communicate

Et

pour le Dominion du Canada:  
Le Très-Honorable Robert  
Laird Borden, G. C. M.  
G., K. C.;

pour le Commonwealth d'Aus-  
tralie:

L'Honorable George Fos-  
ter Pearce, Ministre de  
la Défense;

pour le Dominion de la Nou-  
velle-Zélande:

Sir John William Salmond,  
K. C., Juge à la Cour  
Suprême de Nouvelle-  
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pour l'Union Sud-Africaine:

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James Balfour, O. M.,  
M. P.;

pour l'Inde:

Le Très-Honorable Val-  
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bassadeur Extraordi-  
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près le Président des  
Etats-Unis d'Amérique,  
Grand'croix de l'Ordre  
National de la Légion  
d'honneur;

Sa Majesté l'Empereur du Ja-  
pon:

Le Baron Tomosaburo  
Kato, Ministre de la  
Marine, Junii, Membre  
de la Première Classe  
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for the Dominion of Canada:  
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Robert Laird Borden,  
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The Honourable George  
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The President of the French  
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Former President of the  
Council of Ministers;

Mr. Albert Sarraut, Dep-  
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Mr. Jules J. Jusserand,  
Ambassador Extraordi-  
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Cross of the National  
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le Pacifique et mettant en cause  
leurs droits ci-dessus visés, dif-  
férend qui ne serait pas réglé  
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Mr. Masanao Hanihara, Vice-  
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Joshii, a member of the Sec-  
ond Class of the Imperial Or-  
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Who, having communicated  
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If there should develop between  
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any Pacific question and involv-  
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satisfactorily settled by diplo-  
macy and is likely to affect the  
harmonious accord now happily  
subsisting between them, they  
shall invite the other High Con-  
tracting Parties to a joint con-  
ference to which the whole sub-  
ject will be referred for considera-  
tion and adjustment.

## II.

If the said rights are threatened  
by the aggressive action of any  
other Power, the High Contract-  
ing Parties shall communicate



Contractantes devront entrer en communication entre elles de la manière la plus complète et la plus franche, afin d'arriver à une entente sur les mesures les plus efficaces à prendre, conjointement ou séparément, pour faire face aux nécessités de la situation.

## III.

Le présent Traité produira ses effets pendant une durée de dix années à dater du jour de sa mise en vigueur, et, à l'expiration de la dite période, continuera à produire ses effets sous réserve du droit de chacune des Hautes Parties Contractantes d'y mettre fin sur préavis de douze mois.

## IV.

Le présent Traité sera ratifié aussitôt que faire se pourra, conformément aux méthodes constitutionnelles des Hautes Parties contractantes; il entrera en vigueur dès le dépôt des ratifications qui sera effectué à Washington; sur quoi, la Convention entre la Grande Bretagne et le Japon, conclue à Londres le 13 Juillet 1911, prendra fin. Le Gouvernement des Etats-Unis remettra à chacune des Puissances signataires une copie certifiée conforme du procès-verbal de dépôt des ratifications.

Le présent Traité, en français et en anglais, restera déposé dans les archives du Gouvernement des Etats-Unis et des copies certifiées conformes en seront remises par ce Gouvernement à chacune des Puissances Signataires.

En foi de quoi les Plénipotentiaires sus-nommés ont signé le présent Traité.

with one another fully and frankly in order to arrive at an understanding as to the most efficient measures to be taken, jointly or separately, to meet the exigencies of the particular situation.

## III.

This Treaty shall remain in force for ten years from the time it shall take effect, and after the expiration of said period it shall continue to be in force subject to the right of any of the High Contracting Parties to terminate it upon twelve months' notice.

## IV.

This Treaty shall be ratified as soon as possible in accordance with the constitutional methods of the High Contracting Parties and shall take effect on the deposit of ratifications, which shall take place at Washington, and thereupon the agreement between Great Britain and Japan, which was concluded at London on July 13, 1911, shall terminate. The Government of the United States will transmit to all the Signatory Powers a certified copy of the *procès-verbal* of the deposit of ratifications.

The present Treaty, in French and in English, shall remain deposited in the Archives of the Government of the United States, and duly certified copies thereof will be transmitted by that Government to each of the Signatory Powers.

In faith whereof the above named Plenipotentiaries have signed the present Treaty.

Fait à Washington, le treize Décembre mil neuf cent vingt et un.

Done at the City of Washington, the thirteenth day of December, One Thousand Nine Hundred and Twenty-One.

CHARLES EVANS HUGHES [L. S.]  
HENRY CABOT LODGE [L. S.]  
OSCAR W UNDERWOOD [L. S.]  
ELIHU ROOT [L. S.]  
ARTHUR JAMES BALFOUR [L. S.]  
LEE OF FAREHAM. [L. S.]  
A. C. GEDDES [L. S.]

[L. S.] R. L. BORDEN.  
[L. S.] G. F. PEARCE  
[L. S.] JOHN W SALMOND  
[L. S.] ARTHUR JAMES BALFOUR  
[L. S.] V S SRINIVASA SASTRI  
[L. S.] RENÉ VIVIANI  
[L. S.] A SARRAUT  
[L. S.] JUSSEURAND  
[L. S.] T. KATO  
[L. S.] K. SHIDEHARA  
[L. S.] TOKUGAWA IYESATO  
[L. S.] M. HANIHARA

And Whereas the said Treaty has been duly ratified on all parts and the ratifications of the said Governments were deposited with the Government of the United States of America on August 17, 1923;

And Whereas the said Treaty was ratified by the United States subject to the reservation and understanding that "The United States understands that under the statement in the preamble and under the terms of this Treaty there is no commitment to armed force, no alliance, no obligation to join in any defense";

Now, therefore, be it known that I, Calvin Coolidge, President of the United States of America, have caused the said Treaty to be made public, to the end that the same and every article and clause thereof may be observed and fulfilled with good faith by the United States and the citizens thereof, subject to the aforesaid understanding and reservation.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the City of Washington this twenty-first day of August in the year of our Lord one thousand nine hundred and [SEAL.] twenty-three, and of the Independence of the United States of America the one hundred and forty-eighth.

CALVIN COOLIDGE

By the President:

CHARLES E. HUGHES  
Secretary of State.

[DECLARATION SIGNED SEPARATELY IN ENGLISH AND  
IN FRENCH.]

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D. C., December 13, 1921.

CHARLES EVANS HUGHES  
HENRY CABOT LODGE  
OSCAR W UNDERWOOD  
ELIHU ROOT  
ARTHUR JAMES BALFOUR  
LEE OF FAREHAM.  
A. C. GEDDES  
R. L. BORDEN.  
G. F. PEARCE  
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RENÉ VIVIANI  
A SARRAUT  
JUSSERAND  
T. KATO  
K. SHIDEHARA  
TOKUGAWA IYESATO  
M. HANIHARA

Il est déclaré, au moment de signer ce jour le traité entre les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon, que c'est la volonté et l'intention des Puissances signataires:

1. Que le traité s'appliquera aux Iles sous mandat situées dans l'Océan Pacifique; sous réserve cependant que la conclusion du traité ne pourra être considérée comme impliquant l'assentiment, de la part des Etats-Unis d'Amérique, aux mandats et n'empêchera pas la conclusion, entre les Etats-Unis d'Amérique et les Puissances mandataires respectivement, d'accords ayant trait aux Iles sous mandat.

2. Que ne seront pas comprises parmi les contestations visées au second paragraphe de l'article premier les questions qui, d'après les principes du droit international, relèvent exclusivement de la souveraineté des Puissances respectives.

Washington, le treize Décembre, dix-neuf cent vingt et un.

CHARLES EVANS HUGHES  
HENRY CABOT LODGE  
OSCAR W UNDERWOOD  
ELIHU ROOT  
ARTHUR JAMES BALFOUR  
LEE OF FAREHAM.  
A. C. GEDDES  
R. L. BORDEN.  
G. F. PEARCE  
JOHN W SALMOND  
ARTHUR JAMES BALFOUR  
V S SRINIVASA SASTRI  
RENÉ VIVIANI  
A SARRAUT  
JUSSERAND  
T. KATO  
K. SHIDEHARA  
TOKUGAWA IYESATO  
M. HANIHARA

[DECLARATION SIGNED SEPARATELY IN ENGLISH AND  
IN FRENCH.]

In signing the Treaty this day between The United States of America, The British Empire, France and Japan, it is declared to be the understanding and intent of the Signatory Powers:

1. That the Treaty shall apply to the Mandated Islands in the Pacific Ocean; provided, however, that the making of the Treaty shall not be deemed to be an assent on the part of The United States of America to the mandates and shall not preclude agreements between The United States of America and the Mandatory Powers respectively in relation to the mandated islands.

2. That the controversies to which the second paragraph of Article I refers shall not be taken to embrace questions which according to principles of international law lie exclusively within the domestic jurisdiction of the respective Powers.

Washington, D. C., December 13, 1921.

CHARLES EVANS HUGHES  
HENRY CABOT LODGE  
OSCAR W UNDERWOOD  
ELIHU ROOT  
ARTHUR JAMES BALFOUR  
LEE OF FAREHAM.  
A. C. GEDDES  
R. L. BORDEN.  
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RENÉ VIVIANI  
A SARRAUT  
JUSSERAND  
T. KATO  
K. SHIDEHARA  
TOKUGAWA IYESATO  
M. HANIHARA

Il est déclaré, au moment de signer ce jour le traité entre les Etats-Unis d'Amérique, l'Empire Britannique, la France et le Japon, que c'est la volonté et l'intention des Puissances signataires:

1. Que le traité s'appliquera aux Iles sous mandat situées dans l'Océan Pacifique; sous réserve cependant que la conclusion du traité ne pourra être considérée comme impliquant l'assentiment, de la part des Etats-Unis d'Amérique, aux mandats et n'empêchera pas la conclusion, entre les Etats-Unis d'Amérique et les Puissances mandataires respectivement, d'accords ayant trait aux Iles sous mandat.

2. Que ne seront pas comprises parmi les contestations visées au second paragraphe de l'article premier les questions qui, d'après les principes du droit international, relèvent exclusivement de la souveraineté des Puissances respectives.

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CHARLES EVANS HUGHES  
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A SARRAUT  
JUSSERAND  
T. KATO  
K. SHIDEHARA  
TOKUGAWA IYESATO  
M. HANIHARA

### PROCÈS-VERBAL

OF DEPOSIT OF RATIFICATIONS OF THE TREATY BETWEEN THE UNITED STATES OF AMERICA, THE BRITISH EMPIRE, FRANCE AND JAPAN, RELATING TO THEIR INSULAR POSSESSIONS AND INSULAR DOMINIONS IN THE REGION OF THE PACIFIC OCEAN, CONCLUDED AT WASHINGTON, DECEMBER 13, 1921.

In conformity with Article IV of the Treaty between the United States of America, the British Empire, France and Japan relating to their insular possessions and insular dominions in the region of the Pacific Ocean, concluded at Washington on December 13, 1921, the undersigned representatives of the United States of America, the British Empire, France and Japan this day met at the Department of State at Washington to proceed with the deposit with the Government of the United States of America of the instruments of ratification of the said Treaty by the governments they represent.

The representative of the United States of America declared that the instrument of ratification of the United States is deposited with the reservation and understanding, recited in the ratification, that—

“The United States understands that under the statement in the preamble or under the terms of this treaty there is no commitment to armed force, no alliance, no obligation to join in any defense.”

The instruments of ratification produced having been found upon examination to be in due form, are entrusted to the Government of the United States of America to be deposited in the archives of the Department of State.

IN WITNESS WHEREOF, the present procès-verbal, of which a certified copy will be sent by the Government of the United States of America to each one of the Powers signatory to the said treaty, is signed:

Done at Washington, August 17, 1923, at 12 o'clock.

For the United States:

CHARLES EVANS HUGHES [SEAL]

For the British Empire:

H. G. CHILTON [SEAL]

For France:

ANDRÉ DE LABOULAYE [SEAL]

For Japan:

M. HANIHARA [SEAL]

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